

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75558 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Rajiv Paswan @ Rajiv Kumar S/O Raghu Nath Paswan Resident of Village
-Khairva Goat ,Ward No -15, P.S.- Majorganj, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Majorganj P.S. Case No. 151 of 2024, instituted for the offences punishable under Section 414 of the Indian Penal Code and Section 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is recovery of one loaded country made pistol along with one live cartridge from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 27.04.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majorganj P.S. Case No. 151 of 2024.

(Rudra Prakash Mishra, J)

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